
**Criminal Justice & Corrections
Committee**

HB 1799

Brief Description: Concerning park rangers employed by the parks and recreation commission.

Sponsors: Representatives B. Sullivan and Upthegrove.

Brief Summary of Bill

- Changes the designation of the State Parks and Recreation Commission from a limited authority law enforcement agency to a general authority law enforcement agency.
- Requires that all applicants for park rangers meet minimum requirements and that all park rangers hired after the effective date of the act complete the basic law enforcement academy course or an equivalency course.
- Excludes park rangers from membership in the law enforcement officers' and fire fighters' retirement system (LEOFF).

Hearing Date: 2/24/05

Staff: Kathryn Leathers (786-7114).

Background:

The State Parks and Recreation Commission (Commission) is classified by statute as a "limited authority Washington law enforcement agency. The Commission is charged, in part, with enforcing the state laws on public recreational lands. Park rangers go through a training course developed by the Commission and are vested with police powers to enforce Washington laws.

Absent a special Commission, the statute does not expressly grant park rangers permission to enforce the laws of Washington outside the territory of state recreational lands. The Commission may adopt policies and enforce rules pertaining to the use, care, and administration of state parks and parkways. In January of 2005, the Commission adopted a policy that requires park rangers to engage in law enforcement only within the boundaries of state park properties except:

- when in fresh pursuit, following the commission of a felony (except such pursuit is not authorized for vehicle pursuits that involve speeds in excess of posted speed limits over significant distances); and
- where specifically authorized by the Legislature.

Briefly, a "limited authority Washington law enforcement agency" means any agency or unit or division of local or state government that has, as one of its functions, the apprehension or detection of persons committing infractions or violating traffic or specific criminal laws. Agencies so designated include, but are not limited to, the state Departments of Natural Resources, Social and Health Services, Gambling Commission, and the Department of Corrections.

A "general authority Washington law enforcement agency" is defined by statute as any agency or unit or division of local or state government that has, as one of its primary functions, the detection and apprehension of persons committing infractions or violating traffic or criminal laws in general. It also means any other unit of government expressly designated by statute as such an agency. General authority law enforcement agencies include the Washington State Patrol and the Department of Fish and Wildlife. Such law enforcement agencies may enforce any traffic or criminal law of the state throughout the territorial boundaries of the state.

Summary of Bill:

The Commission is designated a general authority law enforcement agency. As such, when prescribed by the Commission, park rangers vested with police powers shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally.

All applicants for park ranger positions must be citizens of the United States who can read and write the English language. All park rangers hired after the effective date of this act are deemed law enforcement personnel (peace officers) and must successfully complete the basic law enforcement academy course or the basic law enforcement equivalency certification.

Park rangers are specifically excluded from membership in the Washington law enforcement officers' and fire fighters' (LEOFF) retirement system.

Liability arising out of the exercise or alleged exercise of authority by a park ranger rests with the Commission unless the park ranger acts under the direction or control of another agency, or unless the liability is assumed under an agreement between the Commission and another agency.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.